

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

	)	
	)	<b>Civil Action No.: 2:14-cv-1540-DCN</b>
<b>MARC A. KNIGHT, individually and on</b>	)	
<b>behalf of all others similarly situated,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>PELLA CORPORATION, an Iowa</b>	)	
<b>Corporation,</b>	)	
<b>Defendant.</b>	)	
_____	)	

**CONSENT ORDER OF DISMISSAL**

This Matter comes before the Court on Motion by Plaintiff, with the consent of the Defendant, to dismiss this case, with each party bearing their own costs. Plaintiff's grounds are that given the age and type of windows in Plaintiff's residence, and one or more factors set forth in Eubank v. Pella Corp., 753 F. 718, 723 (7<sup>th</sup> Cir. 2014) (which was published after this suit was filed), Plaintiff may not be a suitable class representative.

Therefore, with the consent of the Parties, the within case is dismissed, with each side to bear their own costs.

**AND IT IS SO ORDERED.**



\_\_\_\_\_  
**DAVID C. NORTON**  
**UNITED STATES DISTRICT JUDGE**

**September 26, 2014**  
**Charleston, South Carolina**